

09/117.711



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TECH CENTER 1600/3900

U.S. APPLICATION NO. 09/117.711	FIRST NAMED APPLICANT RENTIER	ATTY. DOCKET NO. B B45082
INTERNATIONAL APPLICATION NO. PCT/EP97/00520		
I.A. FILING DATE 02/04/97	PRIORITY DATE 02/09/96	
DATE MAILED: 11/03/98		

SMITHKLINE BEECHAM CORPORATION
CORPORATE INTELLECTUAL PROPERTY UW2220
PO BOX 1539
KING OF PRUSSIA PA 19406-0939

**NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371
AND 37 CFR 1.494 OR 1.495**

1. The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

2. The United States Application Number assigned to the application is shown above and the relevant dates are:

OCT 20 1998
35 U.S.C. 102(e) DATE

OCT 20 1998
DATE OF RECEIPT OF
35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371(C) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

3. ☒ A request for immediate examination under 35 U.S.C. 371(f) was received on 04 AUG 1998 and the application will be examined in turn.

4. The following items have been received:

- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.
- ☐ Translation of the international application into English.
- ☒ Oath or Declaration of inventor(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments. ☐ Translation of Article 19 amendments into English.

The Article 19 amendments ☐ have ☐ have not been entered.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Copy of the Annexes to the International Preliminary Examination Report (IPER).

☐ Translation of Annexes to the IPER into English.

The Annexes ☒ have ☐ have not been entered.
- ☒ Preliminary amendment(s) filed 04 AUG 1998 and _____
- ☒ Information Disclosure Statement(s) filed 04 AUG 1998 and _____
- ☒ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed _____
- ☐ Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
- ☐ Other:

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Wanda M. Wallace
Assistant Commissioner



CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE
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ON October 10, 2001

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DATE

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Attorney Docket No. B45082D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rentier, et al. October 10, 2001
Serial No.: 09/865,637 Group Art Unit No.: 1638
Filed: May 25, 2001 Examiner: Not Yet Assigned
For: VACCINES AGAINST VARICELLA ZOSTER VIRUS GENE 63
PRODUCT

Assistant Commissioner of Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

COMMUNICATION

On September 14, 2001, Applicants submitted a Request for Corrected Filing Receipt to correct a perceived problem with the filing date of U.S. Application No. 09/17,711. The original Filing Receipt indicated a filing date of October 20, 1998, abandoned, with a PTO indication that the data was inconsistent with PTO records. A copy of the original Filing Receipt is attached.

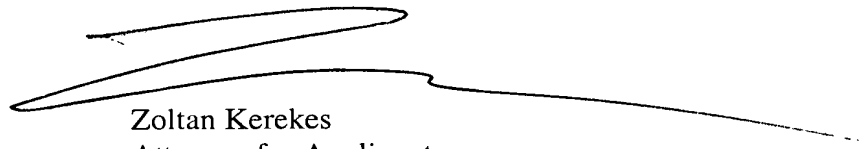
Applicants had requested to change the October 20, 1998 date to February 4, 1997. Upon review of the files, however, Applicants realized that the October 20, 1998 date is the correct filing date.

Applicants remain puzzled as to why the PTO indicated that this data was inconsistent with PTO records. A copy of the Notification of Acceptance received from the PTO in the parent case is attached.

Serial No.: 09/865,637
Group Art Unit No.: 1638

The Examiner is hereby authorized to charge any and all fees which may be required, or credit any overpayment to Deposit Account No. 19-2570.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Zoltan Kerekes', with a long horizontal flourish extending to the right.

Zoltan Kerekes
Attorney for Applicants
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/865,637	05/25/2001	1638	710	B45082D1	4	9	3

CONFIRMATION NO. 4711

CORRECTED FILING RECEIPT



OC000000006535756

GLAXOSMITHKLINE
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Date Mailed: 09/10/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Bernard Rentier, Liege, BELGIUM;
Catherine Sadzot, Liege, BELGIUM;

Assignment For Published Patent Application

SmithKline Beecham Biologicals s.a.;
University of liege;

Domestic Priority data as claimed by applicant

2/4/97

THIS APPLICATION IS A DIV OF 09/117,711 ~~10/20/1998~~ ABN *
WHICH IS A 371 OF PCT/EP97/00520 02/04/1997
(*) Data inconsistent with PTO records.

Foreign Applications

UNITED KINGDOM 9602617.4 02/09/1996
UNITED KINGDOM 9626882.6 12/24/1996

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2001 SEP 12 A 11:23
COMMUNICATIONS SECTION

If Required, Foreign Filing License Granted 07/03/2001

Projected Publication Date: 10/11/2001

Non-Publication Request: No

Early Publication Request: No

Title

Vaccines against varicella zoster virus gene 63 product

Preliminary Class

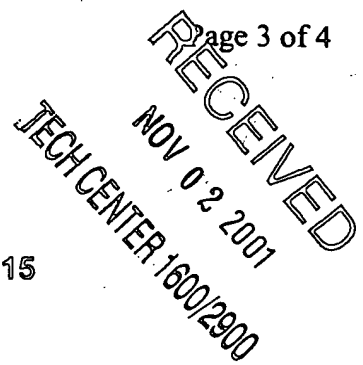
424

Data entry by : CARMICHAEL, SHIRELL

Team : 2600

Date: 09/10/2001

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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- o The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- o The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- o The docket number allows a maximum of 25 characters.
- o If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- o The title is recorded in sentence case.

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